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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/801,104	03/06/2001	Frank Bähren	Westphal.6123	3956

7590 09/09/2003

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EXAMINER

HERNANDEZ, OLGA

ART UNIT

PAPER NUMBER

3661

DATE MAILED: 09/09/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

## Office Action Summary

Application No.

09/801,104

Applicant(s)

BÄHREN ET AL.

Examiner

Olga Hernandez

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --  
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 11 July 2003.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1-13 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-13 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 06 March 2001 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on \_\_\_\_\_ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

### Priority under 35 U.S.C. §§ 119 and 120

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
  - ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

### Attachment(s)

- 1) ☐ Notice of References Cited (PTO-892) 4) ☐ Interview Summary (PTO-413) Paper No(s). \_\_\_\_\_
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948) 5) ☐ Notice of Informal Patent Application (PTO-152)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) \_\_\_\_\_ 6) ☐ Other:

## DETAILED ACTION

### *Claim Rejections - 35 USC § 103*

1. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

2. Claims 1-13 are rejected under 35 U.S.C. 103(a) as being unpatentable over Ise (6,240,361).

As per claims 1, 7 and 13, Ise teaches:

- a position sensor that senses the geographic position of the navigation system and provides a first navigation system position signal indicative thereof (figure 2(1) and 7);
- a data bus (figure 1);
- receiving the first navigation system position signal and transmits onto the data bus (i) a first position signal indicative of the position of a trip starting location, (ii) a second position signal indicative of a trip destination location, and (iii) the first navigation system position signal (column 3, lines 45-50, column 4, lines 35-43 and figure 1);
- a monitor unit that includes:
  - o a memory device that includes map data (figure 1);
  - o a display device responsive to the image data, to display an initial image indicative of the image data (figures 2-7);

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- wherein the navigation computing unit receives a second navigation position signal indicative of a new position of the navigation system and transmits the second navigation position signal over the data bus to the monitor computing unit, which generates revised image data including map data indicative of the trip starting location, the trip destination and the updates position of the navigation system, which is provided for display on the display device (column 4, lines 35-43 and figures 2-7).

While the present invention uses two different devices for receiving from the data bus (i) the first position signal, (ii) the second position signal and (iii) the received navigation system position signal, and accesses the memory device to generate initial image data including map data indicative of the trip starting location, the trip destination and the current position of the navigation system. The prior art uses only one. So, it would have been obvious to one of ordinary skill in the art to use two different units in order to share responsibility and provide faster respond.

As per claims 2 and 9, Ise teaches the use of a GPS receiver (figure 1).

As per claim 3, the use of longitude and latitude data is obvious.

As per claims 4, 5, 8 and 12, Morimoto teaches the same invention claimed by the applicant (figures 2, 4, 6 and 7).

As per claim 6, it is obvious the use of WGS 84 Standard.

As per claim 10, it is obvious the use of the MOST bus.

As per claim 11, it is obvious the use of the MML bus.

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3. Claims 1-13 are rejected under 35 U.S.C. 103(a) as being unpatentable over Morimoto et al (5,821,880).

As per claims 1, 7 and 13, Morimoto teaches:

- a position sensor that senses the geographic position of the navigation system and provides a first navigation system position signal indicative thereof (figure 1);
- a data bus (figure 1);
- a navigation computing unit that receives the first navigation system position signal and transmits onto the data bus (i) a first position signal indicative of the position of a trip starting location, (ii) a second position signal indicative of a trip destination location, and (iii) the first navigation system position signal (column 6, lines 45-55 and abstract);
- a monitor unit that includes:
  - o a memory device that includes map data (figure 1);
  - o a display device responsive to the image data, to display an initial image indicative of the image data (column 1, lines 25-32);
- wherein the navigation computing unit receives a second navigation position signal indicative of a new position of the navigation system and transmits the second navigation position signal over the data bus to the monitor computing unit, which generates revised image data including map data indicative of the trip starting location, the trip destination and

the updates position of the navigation system, which is provided for display on the display device (column 6, lines 55-63).

While the present invention uses two different devices for receiving from the data bus (i) the first position signal, (ii) the second position signal and (iii) the received navigation system position signal, and accesses the memory device to generate initial image data including map data indicative of the trip starting location, the trip destination and the current position of the navigation system. The prior art uses only one. So, it would have been obvious to one of ordinary skill in the art to use two different units in order to share responsibility and provide faster respond.

As per claims 2 and 9, Morimoto teaches the use of a GPS receiver (figure 1).

As per claim 3, the use of longitude and latitude data is inherent.

As per claims 4, 5, 8 and 12, Morimoto teaches the same invention claimed by the applicant (figures 2-4, 17, 18, 21, 25-27).

As per claim 6, it is obvious the use of WGS 84 Standard.

As per claim 10, it is obvious the use of the MOST bus.

As per claim 11, it is obvious the use of the MML bus.

### ***Conclusion***

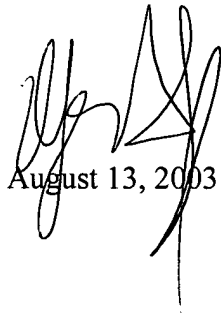
Any inquiry concerning this communication or earlier communications from the examiner should be directed to Olga Hernandez whose telephone number is (703) 305-0918. The examiner can normally be reached on Monday through Friday from 8:30 am to 5:00 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, William A. Cuchlinski can be reached on (703) 308-3873. The fax phone numbers

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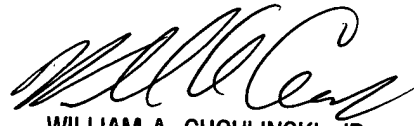
for the organization where this application or proceeding is assigned are (703) 305-7687 for regular communications and (703) 305-7687 for After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 308-1113.



August 13, 2003

Olga Hernandez  
Examiner  
Art Unit 3661



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